



Entered on Docket  
July 26, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler  
United States Bankruptcy Judge

Electronically Filed on July 26, 2007

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*Attorneys for Eugene Buckley*

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND LLC,

USA CAPITAL FIRST TRUST DEED  
FUND LLC,

USA SECURITIES, LLC,

Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under  
Case No.: BK-S-06-10725-LBR

**STIPULATION AND ORDER RESOLVING  
DISCOVERY DISPUTES BETWEEN  
LIQUIDATING TRUST AND EUGENE  
BUCKLEY**

Affects:

☒ All Debtors

: USA Commercial Mortgage Company

: USA Capital Realty Advisors, LLC

: USA Capital Diversified Trust Deed Fund, LLC

: USA Capital First Trust Deed Fund, LLC

: USA Securities, LLC

McDONALD·CARANO·WILSON<sup>LLP</sup>  
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1 The USACM Liquidating Trust (the "Trust") and Eugene Buckley ("Buckley") hereby file  
2 this Stipulation and Order resolving all discovery disputes between them including disputes  
3 regarding: (1) Buckley's Motion to Quash; (2) disputes regarding the Trust's subpoena served (the  
4 "Trust's Subpoena"); and (3) the number of times Buckley will be examined pursuant to Rule  
5 2004.

6 1. In order to assist Buckley in determining what to focus on within the subpoena, and  
7 without limiting the scope of the Trust's Subpoena, the Trust has identified certain entities,  
8 individuals and events upon which the Trust seeks information from Buckley pursuant to the  
9 Trust's Subpoena.

10 2. In responding to the Trust's Subpoena, Buckley agrees to provide information and  
11 copies of documents (to the extent the documents are within his custody and control) on or before  
12 August 8, 2007.

13 3. The Trust agrees to coordinate the examination of Buckley as part of any  
14 examination planned by the Chapter 11 Trustee of USA Investment Partners, LLC ("USAIP"). As  
15 a result, there will be only one Rule 2004 examination of Buckley for purposes of the above-  
16 captioned matter and *In re USA Investment Partners, LLC*, Case No. BK-S-07-11821-LBR, in the  
17 United States Bankruptcy Court for the District of Nevada.

18 4. Buckley will appear for one Rule 2004 examination upon reasonable notice (which  
19 shall be not less than ten days), at the offices of McDonald Carano Wilson LLP, 2300 West Sahara  
20 Avenue, Suite 1000, Las Vegas, Nevada 89102.

21 5. The Trust agrees that Buckley's compliance with this stipulation shall fully satisfy  
22 any Rule 2004 request for information from Buckley.

23 6. Buckley's Motion to Quash is hereby WITHDRAWN, without prejudice.  
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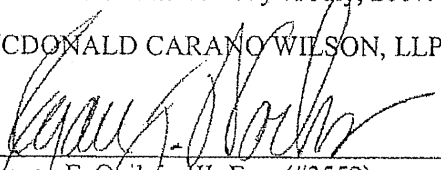
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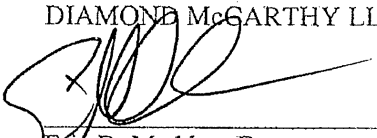
1 7. Accordingly, the July 27, 2007 hearing of this matter is VACATED.

2  
3 Dated this 26<sup>th</sup> day of July, 2007.


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